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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,064	07/31/2003	Charlie Steinmetz	200308925-1	3613
22879	7590	12/29/2004	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			VO, ANH T N	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/633,064

Applicant(s)

STEINMETZ ET AL.

Examiner

Anh t.n Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-33 and 44-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-32, 44-47, 49-51 and 54-57 is/are rejected.
- 7) ☒ Claim(s) 33, 48, 52, 53 and 58 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/31/03 & 7/17/04</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Information Disclosure Statement

The references cited on PTO 1449 have been considered.

Specification

The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

CLAIM REJECTIONS

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1, 44-47, 49-51, and 54-57 are rejected under 35 U.S.C. 102 (e) as being anticipated by Gonzales (US Pat. 6,648,460).

Gonzales disclose in Figures 2-6 an ink container vessel comprising:

- a lid (218) having an outer-face with a substantially planar profile;
 - a reservoir body (104) configured to couple with the lid (218);
- wherein the lid and the reservoir body collectively define an inner cavity (204) configured to hold a volume of ink when the lid (218) is coupled to the reservoir body (104); and wherein the reservoir body (104) includes a shoulder portion having a width that is approximately the same as a width of the lid (218), and a rear portion (202) having a width that is less than the width of the shoulder portion (216), and wherein the rear portion (202) and the shoulder portion (202) are connected by a rim portion (216) that is approximately parallel to the lid;
- a front face (406) including a top edge, a bottom edge, a right edge, and a left edge (Figure 6);
 - a body (104) including a latching surface spaced rearward the front face (406), wherein the front face and the body are exterior an inner cavity (240);
 - an air interface (206) passing into the inner cavity (204) through the front face (406) proximate the top edge and distal the bottom edge;
 - a printing-fluid interface (208) passing into the inner cavity (204) through the front face (406) proximate the bottom edge and distal the top edge;
 - a first recessed portion (408) of the front face (406) intermediate the air interface (206) and the printing-fluid interface (208) (Figure 6);
 - a second recessed portion (402) of the front face (406) intermediate the first recessed portion (408) and the right edge (Figure 4);
 - wherein the body (104) includes a rear portion (202) having a width less than a width of the front face (Figure 6);
 - wherein the latching surface is intermediate the front face (406) and the rear portion (202);
 - wherein the latching surface is substantially parallel to the front face;
 - a free volume of printing fluid held within the inner cavity (204) (Figure 6);
 - wherein the first recessed portion (206, 220) extends into the inner cavity (204);
 - wherein the first recessed portion extends at least approximately 15 millimeters from the front face into the inner cavity;

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- wherein the front face (406) and the body (104) define the inner cavity (204);
- wherein the first recessed portion (408) is substantially the same distance from the air interface (206) and the printing fluid interface (208) (Figures 4-6);
- wherein the first recessed portion (408) is approximately centered on the front face (406) (Figure 6); and
- wherein a single structural piece forms the front face (406) (Figure 6).

Claims 26, 29-32 are rejected under 35 U.S.C. 102 (b) as being anticipated by Childer et al. (US Pat. 6,170,937).

Childers et al. disclose in Figures 1-12 an ink delivery container for a printing system comprising:

- a lid (116) having an outer-face with a substantially planar profile;
 - a reservoir body (72) configured to couple with the lid (116) (Figures 5 and 11-12);
- wherein the lid (116) and the reservoir body (72) collectively define an inner cavity (Figure 11) configured to hold a volume of ink when the lid (116) is coupled to the reservoir body (72); and wherein the reservoir body (72) includes a shoulder portion (64) having a width that is approximately the same as a width of the lid (116), and a rear portion (a portion that has hand held portion close by element 12, see Figure 5) having a width that is less than the width of the shoulder portion (64), and wherein the rear portion and the shoulder portion (64) are connected by a rim portion that is approximately parallel to the lid;
- an interface package arranged on the outer-face of the lid (116) (Figures 10 and 12);
 - the interface package includes an alignment pocket (62) configured to position the printing-fluid container (12) in a desired location with a desired orientation (Figure 3, column 5, lines 50-57);
 - wherein the alignment pocket (62) is positioned approximately at a center of the outer-face; and
 - wherein the interface package includes a keying pocket (62) configured to prevent the printing-fluid container from being seated in an ink-container bay adapted to deliver a color of ink

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different than a color of ink contained by the printing-fluid container (Figure 3, column 5, lines 50-57).

Allowable Subject Matter

Claim 27 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. This claim would be allowable because none of the prior art references of record discloses a printing-fluid container comprising the rim portion that includes a latching surface configured to be engaged by a latching member of an ink-container bay when the latching member is in a closed position, thereby providing for retention of the printing-fluid container in the ink-container bay in the combination as claimed.

Claim 28 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. This claim would be allowable because none of the prior art references of record discloses a printing-fluid container comprising the shoulder portion that is sized to mate with an ink-container bay of an ink-container supply station, and the rear portion is selectively sized to cooperate with the shoulder portion to provide a desired amount of ink capacity in the combination as claimed.

Claim 33 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. This claim would be allowable because none of the prior art references of record discloses a printing-fluid container comprising the interface package that includes an electrical interface in the combination as claimed.

Claim 48 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. This claim would be allowable because none of the prior art references of record discloses an off-axis printing-fluid container comprising an electrical interface on the front face intermediate the first recessed portion and the left edge in the combination as claimed.

Claim 58 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. This claim would be allowable because none of the prior art references of record discloses an off-axis printing-fluid container comprising the bottom edge that includes a protruding portion extending away from the top edge and aligned with the air

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interface, the first recessed portion, and the printing-fluid interface in the combination as claimed.

Claims 52-53 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. This claim would be allowable because none of the prior art references of record discloses an off-axis printing-fluid container comprising the second recessed portion that extends into the inner cavity in the combination as claimed.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (703) 305-8194. The examiner can normally be reached on Tuesday to Friday from 9:00 A.M. to 7:00 P.M.. The fax number of this Group 2861 is (703) 872-9306.

December 22, 2004